



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Fernando OLIVEIRA, *et al.*

Appl. No.: 10/808,781

Filed: March 25, 2004

For: **CONTINUOUS DATA BACKUP**

Art Unit: 2164

Examiner: PANNALA,
Sathyanaraya R.

Docket No.: EMS-07401

CERTIFICATE OF MAILING

I hereby certify that the foregoing document is being deposited with the United States Postal Service as first class mail, postage prepaid, "Post Office to Addressee", in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 5, 2009.

Sandra Pires

AMENDMENT AND RESPONSE TO OFFICE ACTION

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is being provided in response to the Final Office Action dated October 28, 2008, for the above-captioned U.S. patent application.

Amendments to the Claims are listed beginning on page 2 of this paper.

Remarks begin on page 10 of this paper.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required for consideration of this paper (including fees for net addition of claims) are authorized to be charged in a Transmittal Letter filed herewith.